POLICY NOTE

THE COMMUNITY WEALTH BUILDING (SCOTLAND) ACT 2026 (COMMENCEMENT) REGULATIONS 2026

SSI 2026/265

The above instrument was made in exercise of the powers conferred by section 14(2) of the Community Wealth Building (Scotland) Act 2026. The instrument is subject to laid no procedure.

Summary Box

SSI seeks to commence the Community Wealth Building (Scotland) Act 2026, in so far as the sections are not already in force.
The provisions to be commenced include:

- Community Wealth Building Statement - Sections 1,2,3,4
- Community Wealth Building Action Plan - Sections 5, 6 ,7, 8,9
- Guidance about Community Wealth Building - Sections 10, 11
- General – Sections 12,13, 14 and 15 for those parts and paragraphs where it has not already been commenced
- Schedule – Specified bodies

Policy Objectives
The commencement of the remaining sections of the Act will place statutory duties on the Scottish Ministers to prepare and publish a statement about Community Wealth Building; to require local authorities and relevant public bodies to prepare and publish a community wealth building action plan, and to implement that plan; and to require certain public bodies to have due regard to community wealth building guidance produced by the Scottish Ministers.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility
Not required. A Childrens Rights and Wellbeing Impact Assessment was completed to support the introduction of the Community Wealth Building Bill in March 2025. It is not required for commencement SSIs.

EU Alignment Consideration
This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation
The Scottish Government held a consultation on Community Wealth Building (CWB), in January 2023, seeking views and comments on what future CWB legislation should look like and where existing law and policy could be changed to advance action on CWB. The consultation closed in May 2023 and received a total of 185 responses, 148 from organisations or groups and 37 from individual members of the public.

The responses from the consultation were used to inform the development of the Community Wealth Building Bill, introduced in March 2025.

A full list of those consulted and who agreed to the release of this information is attached to the consultation report published on the Scottish Government website, it includes the Convention of Scottish Local Authorities (*COSLA),* individual councils and other public bodies named in the Act.

Impact Assessments
A Childrens Rights and Wellbeing Impact Assessment, Equality Impact Assessment, Fairer Scotland Duty and Islands Communities Impact Assessment were completed for the introduction of the Community Wealth Building Bill and are published on the Scottish Government website.

Financial Effects
The Cabinet Secretary for Public Sector Reform confirms that no BRIA is necessary as the commencement instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Economy Directorate

September 2026